

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 IO-10 ISO-00 AF-06 ARA-06 EA-06 NEA-10

SAM-01 OIC-02 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00

FRB-03 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05

PA-01 AID-05 CIEP-01 SS-15 STR-04 TAR-01 TRSE-00

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TO SECSTATE WASHDC 3252

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EO 11652: N/A

TAGS: GATT ETRD EEC

SUBJ: GATT HANDLING OF LOME CONVENTION

REFS: (A) BRUSSELS 04658; (B) BRUSSELS 4606; (C) STATE 097828;

(D) GENEVA 2330; (E) BRUSSELS 4271

1. IN VIEW OF EC ARTICLE 113 COMMITTEE DECISION TO
INCLUDE A BRACKETED REFERENCE TO GATT ARTICEL XXIV
IN DRAFT EC NOTIFICATION OF LOME CONVENTION TO GATT,
WE SUPPORT USEC SUGGESTION THAT WASHINGTON INSTRUCT
EMBASSIES IN CAPITALS OF NINE TO EXPLAIN TO EC MEMBERS
WHY WE COULD OPPOSE SUCH REFERENCE. (REF. (A))

2. WE HAVE NO MAJOR PROBLEMS WITH DRAFT COMMISSION
NOTIFICATION TO GATT (WHICH CONTAINS NO REFERENCE TO
ARTICLE XXIV) AND BELIEVE IT WOULD BE CONSISTENT WITH
KIND OF WAIVER-LIKE DECISION WE DESIRE IN GATT (REF (B)).
BELIEVE CERTAIN IMPROVEMENTS DESIRABLE, HOWEVER:

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(A) THIRD PARAGRAPH DESCRIBES CONVENTION AS "A

NEW MODEL... OF COMMERCIAL RELATIONS." BELIEVE
WOULD BE BETTER TO REPLACE WORD "MODEL WITH WORD
SUCH AS "FORM," WHICH WOULD NOT IMPLY LOME CONVENTION
SHOULD BE EMULATED.

(B) PARAGRAPH 5 REFERS TO "OBLIGATION OF ELIMINATING
CUSTOM DUTIES." THIS SMACKS OF ARTICLE XXIV AND IT
WOULD BE BETTER IF REFERENCE TO "OBLIGATION" WAS
DROPPED.

(C) PARAGRAPH SIX NOTES EC HAS NOT "DEMANDED"
RECIPROCITY. THIS SEEMS TO IMPLY EC MAY "REQUEST"
OR "SUGGEST" RECIPROCITY. OF COURSE, PROBLEM MAY MERELY
BE MIS-TRANSLATION OF FRENCH VERB "DEMANDER" WHICH
COULD BE CURED BY BETTER ENGLISH TRANSLATION "REQUESTED."

(D) CLAUSE IN PARAGRAPH SEVEN THAT AGREEMENT "DOES
NOT REQUIRE A WAIVER" IS PROVOCATIVE AND COULD STIR UP
INTER ALIA LATING AMERICANS. ACCORDINGLY, WE PLEASED
TO NOTE THAT ARTICLE 113 COMMITTEE SEEMS TO HAVE AGREED
TO ITS DELETION.

3. WE UNCLEAR WHETHER COMMUNITY IS NOW CONSIDERING
"WAIVER-LIKE GATT DECISION" OR WHETHER THEY HAVE
DEFINITELY OPTED FOR AGREED CONCLUSIONS." (REFS (D)
AND (E)) ANY LIGHT USEC CAN THROW ON THIS WOULD BE
WELCOME.
DALE

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